

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BRIAN A. DAVIS, et al,)	
Plaintiffs,)	
)	C.A. No. 16-26 Johnstown
)	
v.)	
)	
CHARLES S. SAMUELS, et al,)	
Defendants.)	

MEMORANDUM ORDER

This prisoner civil rights action was received by the Clerk of Court on January 25, 2016, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The magistrate judge's report and recommendation, issued on April 6, 2016, recommended that Plaintiff's motion to proceed in forma pauperis [ECF No. 4] be denied, and that he be required to pay the entire \$350.00 filing fee, along with the \$50.00 administrative fee, within 21 days of adoption of this Report and Recommendation or face dismissal for failure to prosecute. Service was made on Plaintiffs by mail at the addresses listed on the record. Objections were filed by Plaintiff Davis on April 18, 2016. After de novo review of the complaint and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:


AND NOW, this 28th Day of June, 2016;

IT IS HEREBY ORDERED that that Plaintiffs' motion to proceed in forma pauperis

[ECF No. 4] is DENIED. Plaintiffs are required to pay the entire \$350.00 filing fee, along with the \$50.00 administrative fee, within 21 days of adoption of this Report and Recommendation or face dismissal for failure to prosecute.

The report and recommendation of Magistrate Judge Baxter, issued April 6, 2016, is adopted as the opinion of the court.

June 28, 2016



KIM R. GIBSON
United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____